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6 FORD MOTOR CREDIT COMPANY, dba
Jaguar Credit

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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12 KELD HANSSON,

13 Plaintiff,

14 vs.

15 FORD MOTOR CREDIT COMPANY,
STEALTH AUTO RECOVERY, INC., AND
16 ROBERT MITCHELL,

17 Defendants.
18

Case No.: C 06-1257 MJJ

**OPPOSITION TO APPLICATION FOR
ADMISSION OF ATTORNEY PRO
HAC VICE**

19 Defendant Ford Motor Credit Company dba Jaguar Credit, incorrectly sued herein as Ford
20 Motor Company ("Ford Credit"), opposes the application for admission pro hac vice submitted by
21 Peter F. Barry, a member of the Minnesota State Bar, on October 5, 2006.

22 Civil Local Rule 11-3(b) provides that "an applicant is not eligible for permission to
23 practice pro hac vice if the applicant...is regularly engaged in the practice of law in the State of
24 California." Similarly, Rule 983 of the California Rules of Court sets forth almost identical
25 requirements for admission pro hac vice in California state courts. A person is ineligible to
26 appear as counsel pro hac vice if he is regularly employed in the State of California or if he is
27 regularly engaged in substantial business, professional, or other activities in the State of
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1 California. Absent special circumstances, repeated appearances by any person pursuant to Rule
2 983 are caused for denial of an application.

3 Peter Barry is regularly engaged in the practice of law in the State of California. Mr.
4 Barry has been admitted pro hac vice in three cases in the last two years of which Ford Credit is
5 aware: *Cruz v. Cruz, et al.*, United States District Court, Northern District of California, Case No.
6 5:04-cv-01167-JW; *Maradiaga v. Calvary Portfolio*, United States District Court, Southern
7 District of California, Case No. 3:04-cv-01765-WQH-JFS; and *Canada v. Client Services Inc.*,
8 United States District Court, Northern District of California, Case No. 3:05-cv-02199-PJH.
9 Request for Judicial Notice, Exhibits A-C.

10 Further, because older federal court cases may not appear on Pacer, it is possible that Mr.
11 Barry has been admitted pro hac vice in cases besides those identified above. Similarly, because
12 of the impossibility of conducting a computer-assisted search by attorney name of California
13 Superior Court records, it is not known how many times Mr. Barry has been admitted pro hac
14 vice in California state court.

15 Admission pro hac vice is intended to be temporary and limited in character, and it is not
16 intended to be requested by a practitioner on a regular basis. *In Re Reza*, 138 B.R. 190, 191
17 (Bkrt. S. Dist. Ohio 1992). Given that Mr. Barry has appeared pro hac vice in at least three
18 cases in California, his current application for admission pro hac vice is in excess of the
19 "temporary and limited" admission permitted. Mr. Barry is regularly employed in California and
20 regularly engaged in professional activities in California and therefore does not qualify for
21 admission pro hac vice under this Court's Local Rule or the State of California's similar rule.

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1 Accordingly, Ford Credit requests that Mr. Barry's application for admission pro hac vice
2 be denied.

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4 DATED: October 9, 2006

SEVERSON & WERSON
A Professional Corporation

5
6 /s/ Regina J. McClendon
7 By: _____
Regina J. McClendon

8 Attorneys for Defendant
9 FORD MOTOR CREDIT COMPANY, dba
10 Jaguar Credit, incorrectly sued herein as Ford
11 Motor Company
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